

CLAIMS OF THE APPLICATION:

1. (Currently amended) ~~An amorphous form of~~ The compound 3-[2-(dimethylamino) ethyl]-N-methyl-1H-indole-5-methane sulfonamide succinate (Sumatriptan succinate) in an amorphous form.
2. (Currently amended) ~~The amorphous form compound according to claim 1, which is substantially in accordance with that characterized by~~ having an X-ray powder diffraction pattern substantially in accordance with the pattern of Figure (1).
3. (Previously presented) A process for the preparation of an amorphous form of 3-[2-(dimethylamino) ethyl]-N-methyl-1H-indole-5-methane sulfonamide succinate (Sumatriptan succinate), which comprises:
  - a) heating to reflux an aqueous mixture of Sumatriptan in a C<sub>1</sub>-C<sub>5</sub> straight or branched chain alcoholic solvent or in a nitrile solvent of formula RCN, wherein R is a C<sub>1</sub>-C<sub>5</sub> alkyl group;
  - b) adding succinic acid to the mixture in step a); and
  - c) adding a water immiscible aliphatic or alicyclic hydrocarbon solvent to the mixture in step b).
4. (Previously presented) A process for the preparation of an amorphous form of 3-[2-(dimethylamino) ethyl]-N-methyl-1H-indole-5-methane sulfonamide succinate (Sumatriptan succinate) which comprises:
  - a) heating to reflux an aqueous mixture of Sumatriptan succinate in a C<sub>1</sub>-C<sub>5</sub> straight or branched chain alcoholic solvent; and
  - b) adding a water immiscible aliphatic or alicyclic hydrocarbon solvent to the mixture in step a).
5. (Previously presented) The process according to claim 3, wherein the Sumatriptan succinate in step a) is crystalline.

6. (Previously presented) The process according to claim 4, wherein the Sumatriptan succinate in step a) is crystalline.

7. (Previously presented) The process according to claim 3, wherein the straight or branched chain alcoholic solvent is selected from the group consisting of methanol, ethanol, n-propanol, iso-propanol, n-butanol, 2-butanol, and 2-pentanol.

8. (Previously presented) The process according to claim 4, wherein the straight or branched chain alcoholic solvent is selected from the group consisting of methanol, ethanol, n-propanol, iso-propanol, n-butanol, 2-butanol, and 2-pentanol.

9. (Previously presented) The process according to claim 3, wherein the nitrile solvent is selected from the group consisting of acetonitrile, propionitrile, and mixtures thereof.

10. (Previously presented) The process according to claim 4, wherein the nitrile solvent is selected from the group consisting of acetonitrile, propionitrile, and mixtures thereof.

11. (Original) The process according to claim 7, wherein the alcoholic solvent is methanol.

12. (Original) The process according to claim 8, wherein the alcoholic solvent is methanol.

13. (Previously presented) The process according to claim 9, wherein the nitrile solvent is acetonitrile.

14. (Previously presented) The process according to claim 10, wherein the nitrile solvent is acetonitrile.

15. (Original)        The process according to claim 3, wherein the water immiscible aliphatic or alicyclic hydrocarbon solvent is selected from the group consisting of petroleum ether, hexane, cyclohexane, heptane, and mixtures thereof.

16. (Original)        The process according to claim 4, wherein the water immiscible aliphatic or alicyclic hydrocarbon solvent is selected from the group consisting of petroleum ether, hexane, cyclohexane, heptane, and mixtures thereof.

17. (Original)        The process according to claim 15, wherein the water immiscible aliphatic or alicyclic hydrocarbon solvent is cyclohexane.

18. (Original)        The process according to claim 16, wherein the water immiscible aliphatic or alicyclic hydrocarbon solvent is cyclohexane.